

Bureau of Industry and Security, Commerce

Pt. 744, Supp. 3

controlled pursuant to the Export Administration Act of 1979.

[70 FR 10867, Mar. 7, 2005, as amended at 71 FR 14099, Mar. 21, 2006]

§ 744.20 License requirements that apply to certain sanctioned entities.

BIS may impose, as foreign policy controls, export and reexport license requirements and set licensing policy with respect to certain entities that have been sanctioned by the State Department. Such license requirements and policy are in addition to those imposed elsewhere in the EAR. License requirements and licensing policy may be imposed pursuant to this section even when the sanction and the legal authority under which the State Department imposed the sanction do not require or authorize the imposition of any license requirement or licensing policy. License requirements and licensing policy will be imposed pursuant to this section by adding an entity to the Entity List in accordance with paragraphs (a), (b), and (c) of this section.

(a) *General requirement.* Certain entities that have been sanctioned by the State Department are listed in Supplement No. 4 to this part (the Entity List) with a reference to this section. A license is required, to the extent specified on the Entity List, to export or reexport any item to such entities.

(b) *License exceptions.* No license exception may be used to export or reexport to such entities unless specifically authorized on the Entity List.

(c) *Licensing policy.* Applications to export or reexport to such entities will be reviewed according to the licensing policy set forth on the Entity List.

[70 FR 10867, Mar. 7, 2005]

SUPPLEMENT NO. 1 TO PART 744—MILITARY END-USE EXAMPLES FOR § 744.17

(a) *Examples of military end-uses (as described in § 744.17 (d) of this part) of general-purpose microprocessors classified as ECCN 3A991.a.1 includes employing such microprocessors in the “use”, “development”, “production”, or deployment of:*

- (1) Cruise missiles;
- (2) Electronic suites of military aircraft and helicopters;
- (3) Radar for searching, targeting, or tracking systems;
- (4) Command/control/communications or navigation systems;
- (5) Unmanned aerial vehicles capable of performing military reconnaissance, surveillance, or combat support;
- (6) Rocket or missile systems;
- (7) Electronic or information warfare systems; or
- (8) Intelligence, reconnaissance, or surveillance systems suitable for supporting military operations.

(b) [Reserved]

[68 FR 1797, Jan. 14, 2003]

**SUPPLEMENT NO. 2 TO PART 744
[RESERVED]**

SUPPLEMENT NO. 3 TO PART 744—COUNTRIES NOT SUBJECT TO CERTAIN NUCLEAR END-USE RESTRICTIONS IN § 744.2(A)

Australia	Italy (includes San
Austria	Marino and Holy
Belgium	See)
Canada	Japan
Denmark	Luxembourg
Finland	Netherlands
France	New Zealand
Germany	Norway
Greece	Portugal
Iceland	Spain
Ireland	Sweden
	Turkey
	United Kingdom

[61 FR 12802, Mar. 25, 1996, as amended at 62 FR 25459, May 9, 1997; 66 FR 18402, Apr. 9, 2001]

SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST

Country	Entity	License requirement	License review policy	Federal Register citation
This Supplement lists certain entities subject to license requirements for specified items under this part 744 of the EAR. License requirements for these entities includes exports and reexports, unless otherwise stated. This list of entities is revised and updated on a periodic basis in this Supplement by adding new or amended notifications and deleting notifications no longer in effect.				
CHINA, PEOPLE'S REPUBLIC OF.	13 Institute, China Academy of Launch Vehicle Technology, (CALT), aka 713 Institute or Beijing Institute of Control Devices.	For all items subject to the EAR.	See § 744.3(d) of this part.	66 FR 24265, 05/14/01.
	33 Institute, aka Beijing Institute of Automatic Control Equipment.	For all items subject to the EAR having a classification other than EAR99 or a classification where the third through fifth digits of the ECCN are "999", e.g., XX999.	See § 744.3(d) of this part.	66 FR 24266, 05/14/01.
	35 Institute, aka Beijing Huahang Radio Measurements Research Institute.	For all items subject to the EAR having a classification other than EAR99 or a classification where the third through fifth digits of the ECCN are "999", e.g., XX999.	See § 744.3(d) of this part.	66 FR 24266, 05/14/01.
	54th Research Institute of China, aka Communication, Telemetry and Telecontrol Research Institute (CTI).	For all items subject to the EAR having a classification other than EAR99 or a classification where the third through fifth digits of the ECCN are "999", e.g., XX999.	See § 744.3(d) of this part.	66 FR 24266, 05/14/01.
	Baotou Guanghua Chemical Industrial Corporation, 202 Factory Baotou, Inner Mongolia.	For all items subject to the EAR having a classification other than EAR99.	See § 744.2(d) of this part.	66 FR 24266, 05/14/01.
	Beijing Aerospace Automatic Control Institute, 51 Yong Ding Road Beijing.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR 05/28/99.
	Beijing Institute of Structure and Environmental Engineering, a.k.a., Beijing Institute of Strength and Environmental Engineering, No. 36 Wanyuan Road Beijing.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR 05/28/99.
	Beijing Power Machinery Institute ...	For all items subject to the EAR.	See § 744.3(d) of this part.	66 FR 24266, 05/14/01.
	Beijing University of Aeronautics and Astronautics (BUAA), a.k.a. Beihang University.	For all items subject to the EAR.	See § 744.3(d) of this part.	66 FR 24266 5/14/01, 70 FR 54628, 9/16/05

Bureau of Industry and Security, Commerce

Pt. 744, Supp. 4

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INDIA	Chinese Academy of Engineering Physics (aka Ninth Academy, including the Southwest Institutes of: Applied Electronics, Chemical Materials, Electronic Engineering, Explosives and Chemical Engineering, Environmental Testing, Fluid Physics, General Designing and Assembly, Machining Technology, Materials, Nuclear Physics and Chemistry (aka China Academy of Eng[ineering] Physics [CAEP]'s 902 Institute, Mianyang), Structural Mechanics; Research and Applications of Special Materials Factory; Southwest Computing Center (all of preceding located in or near Mianyang, Sichuan Province); Institute of Applied Physics and Computational Mathematics, Beijing; and High Power Laser Laboratory, Shanghai).	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97 66 FR 24266, 05/14/01.
	China Aerodynamics Research and Development Center (CARD)C Sichuan Province.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR 05/28/99.
	First Department, China Academy of Launch Vehicle Technology, (CALT).	For all items subject to the EAR.	See § 744.3(d) of this part.	66 FR 24266, 05/14/01.
	Northwest Institute of Nuclear Technology, in the Science Research, Xi'an, Shaanxi.	For all items subject to the EAR.	See § 744.2 of this part.	64 FR 05/28/99.
	Northwestern Polytechnical University.	For all items subject to the EAR having a classification other than EAR99 or a classification where the third through fifth digits of the ECCN are "999", e.g., XX999.	See § 744.3(d) of this part.	66 FR 24266, 05/14/01.
	Shanghai Academy of Spaceflight Technology, Shanghai, Spaceflight Tower 222 Cao Xi Road Shanghai, 20023.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR 05/28/99.
	Shanghai Institute of Space Power-Sources, Shanghai, 388 Cang Wu Rd Shanghai.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3 of this part.	64 FR 05/28/99.
	Southwest Research Institute of Electronics Technology, Chengdu.	For all items subject to the EAR having a classification other than EAR99 or a classification where the third through fifth digits of the ECCN are "999", e.g., XX999.	See § 744.3(d) of this part.	66 FR 24267, 05/14/01.
	Xian Research Institute of Navigation Technology.	For all items subject to the EAR having a classification other than EAR99.	See § 744.3(d) of this part.	66 FR 24267, 05/14/01.
	Xiangdong Machinery Factory	For all items subject to the EAR.	See § 744.3(d) of this part.	66 FR 24267, 05/14/01.
	Bharat Dynamics Limited	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50091, 10/01/01

Country	Entity	License requirement	License review policy	Federal Register citation
	<p>The following subordinates of Defense Research and Development Organization (DRDO). Armament Research and Development Establishment (ARDE). Defense Research and Development Lab (DRDL), Hyderabad. Missile Research and Development Complex. Solid State Physics Laboratory</p> <p>The following Indian Space Research Organization (ISRO) subordinate entities:.</p> <p>—Liquid Propulsion Systems Center;.</p> <p>—Solid Propellant Space Booster Plant (SPROB);.</p> <p>—Sriharikota Space Center (SHAR);.</p> <p>—Vikram Sarabhai Space Center (VSSC), Thiruvananthapuram.</p> <p>The following Department of Atomic Energy entities:.</p> <p>—Bhabha Atomic Research Center (BARC);.</p> <p>—Indira Gandhi Atomic Research Center (IGCAR);.</p> <p>—Indian Rare Earths;</p> <p>—Nuclear reactors (including power plants) not under International Atomic Energy Agency (IAEA) safeguards, (excluding Kundankulam 1 and 2) fuel reprocessing and enrichment facilities, heavy water production facilities and their collocated ammonia plants.</p>	<p>For all items subject to the EAR.</p> <p>For all items subject to the EAR having a classification other than (1) EAR99 or (2) a classification where the third through fifth digits of the ECCN are "999", <i>e.g.</i> XX999.</p> <p>For all items subject to the EAR.</p>	<p>Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.</p> <p>Case-by-case review for all items on the CCL.</p> <p>Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.</p>	<p>63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50091, 10/1/01</p> <p>63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50090, 10/01/01 69 FR 56694, 09/22/04.</p> <p>63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50090, 10/01/01 69 FR 56694, 09/22/04.</p>
ISRAEL	Ben Gurion University, Israel	For computers above the Tier 3 level described in § 742.12(b)(3)(i)(B).	Case-by-case basis	62 FR 4910, 2/3/97 65 FR 12919, 3/10/00.
	Nuclear Research Center at Negev Dimona, Israel.	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97.
PAKISTAN	Abdul Qader Khan Research Laboratories, a.k.a. Khan Research Laboratories (KRL), a.k.a. Engineering Research Laboratories (ERL), Kahuta.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Al Technique Corporation of Pakistan, Ltd.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Allied Trading Co	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	ANZ Importers and Exporters, Islamabad.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Defence Science and Technology Organization (DESTO), Rawalpindi.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01

Bureau of Industry and Security, Commerce

Pt. 744, Supp. 4

Country	Entity	License requirement	License review policy	Federal Register citation
	High Technologies, Ltd., Islamabad	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Karachi CBW Research Institute, University of Karachi's Husein Ebrahim Jamal Research Institute of Chemistry (HEJRIC).	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 66 FR 50092, 10/1/01
	Lastech Associates, Islamabad	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Machinery Master Enterprises, Islamabad.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Maple Engineering Pvt. Ltd. Consultants, Importers and Exporters.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Orient Importers and Exporters, Islamabad.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50092, 10/1/01
	Pakistan Atomic Energy Commission (PAEC), and the following subordinate entities. National Development Complex (NDC). Nuclear reactors (including power plants), fuel reprocessing and enrichment facilities, all uranium processing, conversion and enrichment facilities, heavy water production facilities and any collocated ammonia plants. Pakistan Institute for Nuclear Science and Technology (PINSTECH).	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01
	People's Steel Mills, Karachi	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01
	Prime International	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01
	Space and Upper Atmospheric Research Commission (SUPARCO).	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01
	Technical Services, Islamabad	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01
	The Tempest Trading Company, Islamabad.	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01

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RUSSIA	Unique Technical Promoters	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01
	Wah Chemical Product Plant	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 66 FR 50093, 10/1/01
	Wah Munitions Plant, a.k.a. Explosives Factory, Pakistan Ordnance Factories (POF).	For all items subject to the EAR.	Case-by-case for all items listed on the CCL. Presumption of approval for EAR99 items.	63 FR 64322, 11/19/98 65 FR 14444, 03/17/00 66 FR 50093, 10/1/01
	All-Russian Scientific Research Institute of Technical Physics, (aka VNIITF, Chelyabinsk-70, All-Russian Research Institute of Technical Physics, ARITP, Russian Federal Nuclear Center) located in either Snezhinsk or Kremlev (Sarov).	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97 66 FR 24267, 05/14/01.
	All-Union Scientific Research Institute of Experimental Physics, (aka VNIIEF, Arzamas-16, Russian Federal Nuclear Center, All Russian Research Institute of Experimental Physics, ARIEP, Khariton Institute) located in either Snezhinsk or Kremlev (Sarov).	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97 66 FR 24267, 05/14/01.
	Baltic State Technical University, 1/ 21, 1-ya Krasnoarmeiskaya Ul., 198005, St. Petersburg.	For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial.	63 FR 40363, 7/29/98.
	Glavkosmos, 9 Krasnoproletarskaya St., 103030 Moscow..	For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial.	63 FR 40363, 7/29/98.
	Medeleyev University of Chemical Technology of Russia (including at 9 Miusskaya Sq. Moscow 125047, Russia).	For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial.	64 FR 14606, 03/26/99.
	Ministry for Atomic Power of Russia (any entities, institutes, or centers associated with) located in either Snezhinsk or Kremlev (Sarov).	For all items subject to the EAR.	Case-by-case basis	62 FR 35334, 6/30/97 66 FR 24267, 05/14/01.
	Moscow Aviation Institute (MAI) (including at 4 Volokolamskoye Shosse, Moscow 125871, Russia).	For all items subject to the EAR (see § 744.10 of the EAR).	Presumption of denial.	64 FR 14606, 03/26/99.
SYRIA	Tula Instrument Design Bureau (all locations, including at Tula 300001, Russia) (§ 744.20 of the EAR).	All items subject to the EAR having a classification other than EAR99; no License Exceptions available.	Presumption of Denial.	70 FR 10867, 03/07/05.
	Higher Institute of Applied Science and Technology (HIAST).	For all items subject to the EAR. (see § 744.3 of the EAR).	Presumption of denial.	70 FR 11861, 3/10/05.
	Industrial Establishment of Defense (IED).	For all items subject to the EAR. (see § 744.3 of the EAR).	Presumption of denial.	70 FR 11861, 3/10/05.
	National Standards and Calibration Laboratory (NSCL).	For all items subject to the EAR. (see § 744.3 of the EAR).	Presumption of denial.	70 FR 11861, 3/10/05.

Bureau of Industry and Security, Commerce

§ 745.1

Country	Entity	License requirement	License review policy	Federal Register citation
	Scientific Studies and Research Center (SSRC).	For all items subject to the EAR. (see § 744.3 of the EAR).	Presumption of denial.	70 FR 11861, 3/10/05.

¹ "Balance of Plant" refers to the part of a nuclear power plant used for power generation (e.g., turbines, controllers, or power distribution) to distinguish it from the nuclear reactor.

[63 FR 64325, Nov. 19, 1998, as amended at 63 FR 65552, Nov. 27, 1998; 64 FR 14606, Mar. 26, 1999; 64 FR 28910, May 28, 1999; 65 FR 14446, Mar. 17, 2000; 65 FR 45843, July 26, 2000; 65 FR 60856, Oct. 13, 2000; 66 FR 24265, May 14, 2001; 66 FR 50091, Oct. 1, 2001; 66 FR 65836, Dec. 21, 2001; 69 FR 56694, Sept. 22, 2004; 69 FR 58049, Sept. 29, 2004; 69 FR 59303, Oct. 4, 2004; 69 FR 65540, Nov. 15, 2004; 70 FR 10867, Mar. 7, 2005; 70 FR 11861, Mar. 10, 2005; 70 FR 51252, Aug. 30, 2005; 70 FR 54628, Sept. 16, 2005]

PART 745—CHEMICAL WEAPONS CONVENTION REQUIREMENTS

Sec.

745.1 Advance notification and annual report of all exports of Schedule 1 chemicals to other States Parties.

745.2 End-Use Certificate reporting requirements under the Chemical Weapons Convention.

SUPPLEMENT NO. 1 TO PART 745—SCHEDULES OF CHEMICALS

SUPPLEMENT NO. 2 TO PART 745—STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING, AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION

SUPPLEMENT NO. 3 TO PART 745—FOREIGN GOVERNMENT AGENCIES RESPONSIBLE FOR ISSUING END-USE CERTIFICATES PURSUANT TO § 745.2

AUTHORITY: 50 U.S.C. 1701 *et seq.*; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; Notice of October 27, 2006, 71 FR 64109 (October 31, 2006).

SOURCE: 64 FR 27143, May 18, 1999, unless otherwise noted.

§ 745.1 Advance notification and annual report of all exports of Schedule 1 chemicals to other States Parties.

Pursuant to the Convention, the United States is required to notify the Organization for the Prohibition of Chemical Weapons (OPCW) not less than 30 days in advance of every export of a Schedule 1 chemical, in any quantity, to another State Party. In addition, the United States is required to provide a report of all exports of Schedule 1 chemicals to other States Parties during each calendar year. If you plan to export any quantity of a Schedule 1 chemical controlled under the EAR and

licensed by the Department of Commerce or controlled under the International Traffic in Arms Regulations (ITAR) and licensed by the Department of State, you are required under this section to notify the Department of Commerce in advance of this export. You are also required to provide an annual report of exports that actually occurred during the previous calendar year. The United States will transmit the advance notifications and an aggregate annual report to the OPCW of exports of Schedule 1 chemicals from the United States. Note that the notification and annual report requirements of this section do not relieve the exporter of any requirement to obtain a license from the Department of Commerce for the export of Schedule 1 chemicals subject to the EAR or from the Department of State for the export of Schedule 1 chemicals subject to the ITAR.

(a) *Advance notification of exports.* You must notify BIS at least 45 calendar days prior to exporting any quantity of a Schedule 1 chemical listed in Supplement No. 1 to this part to another State Party. This is in addition to the requirement to obtain an export license under the EAR for chemicals controlled by ECCN 1C350 or 1C351 for any reason for control, or from the Department of State for Schedule 1 chemicals controlled under the ITAR. Note that such notifications may be sent to BIS prior to or after submission of a license application to BIS for Schedule 1 chemicals controlled subject to the EAR and under ECCNs 1C350 or 1C351 or to the Department of State for Schedule 1 chemicals controlled on